

Jeffrey

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 93-482-T - ORDER NO. 94-47 ✓
JANUARY 17, 1994

IN RE: Application of Little Dallas Motor)	ORDER GRANTING
Lines, Inc., Route 3, Box 5121,)	PETITION FOR
Murray Johnson Road, Conway, SC 29526,)	LEAVE TO
for a Class E Certificate of Public)	INTERVENE
Convenience and Necessity.)	OUT-OF-TIME

This matter comes before the Public Service Commission of South Carolina (the Commission) on the January 3, 1994 Petition of Southern Bulk Haulers, Inc. to Intervene Out-of-Time in this Docket.

On November 15, 1993, this Commission issued Order No. 93-1056, granting the Petition for Leave to Intervene Out-of-Time of Santee Carriers, Inc. (Santee). The basis of that Petition was that Santee is authorized to provide transportation of certain commodities within the geographic area which the Commission has authorized Little Dallas Motor Lines, Inc. (Little Dallas) to provide in Order No. 93-899. The Commission noted in Order No. 93-1056 that Santee contended that there was sufficient service and the public convenience and necessity was already being serviced prior to the Commission's consideration of the Application of Little Dallas in the issuance of Order No. 93-899. Santee also stated that although it was a subscriber to the

Commission service for distribution of all Notices of Filing and motor carrier proceedings before the Commission, Santee did not receive any Notice of Filing or other notification of the pendency of this proceeding. Santee went on to state that if it had received notice of the proceeding, that it would have intervened and protested to protect its interest. Therefore, the Commission held that since Santee depended on the Commission service for distribution of all Notices of Filing to receive notification of the pendency of this proceeding, and that Santee did not receive proper notice of the proceeding, the Commission went on to grant the Petition of Santee for Leave to Intervene Out-of-Time.

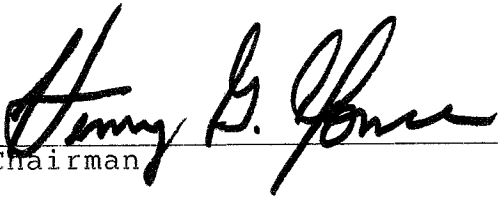
The Commission believes that an identical situation exists with Southern Bulk Haulers, Inc. Southern Bulk Haulers, Inc. also is a subscriber to the Commission's notice service but did not receive notice of the proceeding concerning Little Dallas. Also, Southern Bulk Haulers states that it would have intervened in the case to protect its interest had it known of Little Dallas' Petition. Since this Commission granted the Petition to Intervene Out-of-Time of Santee, the Commission believes that it must also grant the Petition to Intervene Out-of-Time of Southern Bulk Haulers, Inc.

IT IS THEREFORE ORDERED THAT:

1. The Petition for Leave to Intervene Out-of-Time of Southern Bulk Haulers, Inc. is hereby granted.

2. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)